IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

LA.App..No. 779 of 2003(D)
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LAR.29/1999 of PRINCIPAL SUB COURT,PARAVUR
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APPELLANT: ADDL.2ND RESPONDENT
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KOCHI INTERNATIONAL AIRPORT SOCIETY,
ANGAMALY, REPRESENTED BY ITS MANAGING
DIRECTOR.

BY ADV. SRI.N.N.SUGUNAPALAN, SC, KIAS LTD.

RESPONDENTS: CLAIMANT & RESPONDENTS
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1. VARGHESE, S/O.OUSEPH, POONOLIL HOUSE,
SREEMOOLANAGARAM.

2. ANNAM, W/O.VARGHESE, DO. DO.

3. STATE OF KERALA, REPRESENTED BY THE
DISTRICT COLLECTOR, ERNAKULAM.

BY GOVT.PLEADER SMT.K.R.DEEPA

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 23/10/2007, ALONG WITH LAA NO. 816 OF 2003 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**KURIAN JOSEPH & HARUN-UL-RASHID, JJ.**

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**L.A.A.Nos.779, 816, 890, 900 OF 2003,**
**28, 40, 97 and 107 of 2004**

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**Dated this the 23rd day of October, 2007**

**JUDGMENT**

**Kurian Joseph,J.**

These are appeals filed by the State aggrieved by the enhancement of compensation in the matter of acquisition for the Kochi International Air Port. It has been held by this court in L.A.A.No.290/2003 that enhancement has to be limited to 45% over and above the value awarded by the Land Acquisition Officer. Therefore, all these appeals are partly allowed. The claimants shall be entitled to have the enhancement only to the tune of 45% over and above the value fixed by the Land Acquisition Officer. Learned counsel for some other respondents submit that in some of the cases they have not been granted interest on solatium. Being a settled position we make it clear that the claimants shall be entitled to interest on solatium.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

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**KURIAN JOSEPH &**
**HARUN-UL-RASHID, JJ.**
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**L.A.A.Nos.779, 816, 890,**
**900 OF 2003,**
**28, 40, 97 and 107 of 2004**
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**JUDGMENT**

**23rd October, 2007**